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MR. MOZES: Sure. Let's do it right now.

MS. OLMOS: We can go off the record,

Jeannine, while we do that.

(Break from 4:00 to 4:08.)

**Q. (BY MS. OLMOS) Okay. I'm handing you what's been marked as Exhibit Nos. 2, 3, 4, and 5. And could you go through those in turn and tell us what they are.**

**A. They are job postings for the Operations Technician I position. Exhibit No. 2 is the No. 120 opening. Exhibit No. 3 is the No. 1. Exhibit No. 4 is Position No. 80. And Exhibit No. 5 is Position No. 9. Back to 200 -- do you want me to give dates to the best of my knowledge or --**

**Q. Yes.**

**A. Position No. 120 was opened in late 2010 and closed January 14th, 2011. Position No. 1, Exhibit No. 3, was open until February 4th, 2011. Exhibit No. 4, Job No. 80, was open in -- open until filled. I believe was the end of 2011. And then Exhibit No. 5, Position No. 9, was open until filled in 2012, I believe.**

**Q. Why is -- sorry. Did Ms. Garcia apply for these positions?**

**A. Yes, she did.**

**Q. On the Exhibit No. 2, Position No. 120,**

**1 know whether there were any applicants other than Ms. Garcia?**

**A. Yes, there were.**

**Q. Were there -- were there any other applicants for Position -- I'm sorry, for Position No. 1 reflected in Exhibit No. 3 to your deposition?**

**A. I'm sorry. Could you repeat that question.**

**Q. Were there any other applicants for Position No. 1 reflected in Exhibit No. 3 to your deposition?**

**A. Yes, there were.**

**Q. And were there applicants in addition to Ms. Garcia who were also not qualified to fill the requirements for that --**

**A. Yes --**

**Q. -- position?**

**A. -- there were.**

**Q. With regard to the job posting, Job Position No. 80 in Exhibit No. 4 to your deposition, were there applicants other than Ms. Garcia for that position?**

**A. Yes, there were.**

**Q. Were there applicants other than Ms. Garcia who were also not qualified for that position?**

**A. Yes, there were.**

**Q. With regard to Position No. 9 in Exhibit No. 5 to your deposition, were there applicants other**

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**1 Exhibit No. 3, was that position filled?**

**A. I don't believe so. I don't know for certain.**

**Q. I'm going to show you what was previously marked as Exhibit No. 1 to Richard Miller's deposition. Are you familiar with that document?**

**A. Yes, I am.**

**Q. What is it?**

**A. Farmington Electric Utility System Hiring and Promotional Testing Process.**

**Q. Was this policy in place when Ms. Garcia took her Operations Technician I test in April of 2012?**

**A. Yes, it was.**

**Q. Do you know which portion of the policy found at Exhibit No. 1 to Mr. Miller's deposition applied to Ms. Garcia?**

**A. The training program testing criteria.**

**Q. So in order for Ms. Garcia to obtain the Operations Technician I position, she would have to meet the requirements for the written tests set forth in the program -- I'm sorry, training program testing paragraph of Exhibit No. 1 to Mr. Miller's deposition?**

**A. Yes.**

**Q. With regards to the job postings marked as Exhibits No. -- Exhibit No. 2 to your deposition, do you**

**1 than Ms. Garcia for that job?**

**A. Yes, there were.**

**Q. Were there applicants that like Ms. Garcia were not qualified to fill that job?**

**A. Yes, there were.**

**Q. Were the applicants -- the applicants for those positions; for Position No. 9, 80, and No. 1, were those -- did they also have coal plant -- coal power plant experience?**

**A. Yes, they did.**

**Q. And based on their applications did they have combined cycle experience?**

**A. I don't know that. No, I don't believe so.**

**Q. Would you say there was more than -- more than a handful of applicants from APS, Arizona Public Service?**

**A. Yes, there was.**

**Q. Do you have an estimate on how many applicants there were from the -- from APS?**

**A. Total for all positions or in each one?**

**Q. Break it down for me if you have an estimate per.**

**A. I think --**

**Q. Just a range.**

**A. Yeah. Roughly ranging from seven to 20.**

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EXHIBIT

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